

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF TENNESSEE  
AT KNOXVILLE

HOWARD WALTER THOMAS,

Petitioner,

v.

3:10-cv-22

HOWARD CARLTON, Warden,

Respondent.

**ORDER**

This is a petition for the writ of habeas corpus pursuant to 28 U.S.C. § 2254. The matter is before the court on petitioner's motion to appoint counsel and respondent's motion to substitute counsel.

Respondent's motion to substitute counsel [Court File No. 6] is **GRANTED**. Senior Counsel John H. Bledsoe III is substituted in the place of Assistant Attorney General Brian C. Johnson as lead counsel of record for respondent.

Attorneys Stephen Ross Johnson and W. Thomas Dillard were appointed to represent petitioner at trial, on direct appeal, and during his state post-conviction proceedings; they filed the pending habeas corpus petition on behalf of petitioner and move the court to appoint them to represent the petitioner in these proceedings. The court does not find it necessary at this time to appoint counsel for petitioner. Accordingly, the motion to appoint counsel is

**DENIED**, subject to renewal should this matter be set for an evidentiary hearing. Rule 8(c) of the Rules Governing Section 2254 Cases In The United States District Courts.

**ENTER:**

s/ Thomas W. Phillips  
United States District Judge